



# Legal Aid of NorthWest Texas

COMMUNITY REVITALIZATION PROJECT  
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With CRP offices in Amarillo, Dallas, Fort Worth, and Lubbock  
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December 4, 2018

## BY ELECTRONIC MAIL

Nancy Ho  
Regional Freedom of Information Officer  
U.S. EPA, Region 6  
1445 Ross Avenue (6MD-OE)  
Dallas, TX 75202-2733

**Re:** Clarification to FOIA Request EPA-R6-2019-001820

Dear Freedom of Information Officer:

Legal Aid of NorthWest Texas submits this clarification to request EPA-R6-2019-001820 in accordance with the provisions of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. The below includes the language from the original request, *additional clarifications (italicized)* and decisions regarding confidential business information (CBI) and fee commitments.

In accordance with FOIA, please provide us with all of the following records (clarifications indicated :

- 1) A copy of all records, *from January 1, 2015 to present*, relating to outreach conducted in the community surrounding the Lane Plating Works Inc. Superfund site *located at 5322 Bonnie View Rd., Dallas, Texas (EPA ID No. TXN000605240)*. This includes, *but is not limited to, any correspondence conducted by the community involvement coordinator regarding community interviews conducted pursuant to 40 CFR § 300.430(c)(2)(ii)(A)*.
- 2) An unredacted copy of any and all records, *from January 1, 2015 to present*, relating to the Community Involvement Plan for the Lane Plating Works Inc. Superfund site, *located at 5322 Bonnie View Rd., Dallas, Texas (EPA ID No. TXN000605240)*, as required under the NCP at 40 CFR § 300.430(c)(2)(ii)(A-C) and 40 CFR § 300.415(n)(3)(ii).
- 3) An unredacted copy of any and all records, *from January 1, 2015 to present*, relating to the establishment of an Information Repository *for the Lane Plating Works Inc. Superfund site (EPA ID No. TXN000605240)* as required under the NCP at 40 CFR § 300.415(n)(3)(iii) and 40 CFR § 300.430(c)(2)(iii). This includes, but is not limited

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to, any certified mail receipts and other correspondence between *EPA Region 6 personnel and City of Dallas officials and staff.*

- 4) An unredacted copy of any and all records, *from January 1, 2015 to present*, relating to the approach, methods and results for any removal action conducted on Lane Plating Works Superfund site *under Contract No. EP-W-06-042. This includes, but is not limited to, correspondence, comments, reports and other materials created, prepared, or exchanged between EPA Region 6 personnel, City of Dallas officials and staff and Weston Solutions, Inc.*
- 5) *A copy of any correspondence related to the community meetings held on April 17, 2017 and November 13, 2018 by U.S. EPA. This includes, but is not limited to, any correspondence between the site Community Involvement Coordinator, TCEQ Superfund Project Manager, Region 6 NPL Coordinator and Remedial Project Manager.*

The use of the word “record” above includes, but is not limited to, documents in all forms (including electronic), information, emails, faxes, letters, comments, reports, summaries of telephone conversations, handwritten notes, meeting minutes, or any other materials.

The use of the word “unredacted” above means that we are seeking full disclosure of all information in the requested record. In the event that you determine that you can disclose only some of the information contained in a record that falls within the scope of this request, please provide us with a copy of the record with only the information that have determined to be properly treated as confidential redacted.

### **CONFIDENTIAL BUSINESS INFORMATION**

At this time, we are requesting only publicly available information. If there is any CBI found, please provide an index of withheld information in lieu of CBI substantiation. If documents are withheld under any other FOIA exemptions, please provide a denial log.

### **FEE WAIVER REQUEST**

Pursuant to 5 U.S.C. § 442, we request a fee waiver because “disclosure of the requested information is in the public interest because it is likely to contribute significantly to the public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 40 C.F.R. § 2107(l)(1). We reassert the grounds for the fee waiver made in our original request (EPA-R6-2019-001820). For the reasons stated above, we do not wish to increase our initial fee commitment at this time.

### **INSTRUCTIONS FOR RECORD DELIVERY**

To the extent that the requested records are available in a readily accessible electronic format, we would prefer to receive the documents electronically, either by email or on a CD. If electronic copies are unavailable, please send the requested records to me at the office address

listed below. If EPA concludes that any of the records requested here are publicly available, please let me know.

If you find that this request is unclear in any way, or that the number of records responsive to this request is relatively large or difficult to copy, please do not hesitate to call me at 469-459-9009 Ext. 8907. You can also reach me by email at: [zertuchev@lanwt.org](mailto:zertuchev@lanwt.org).

Thank you for your assistance.

Sincerely,

/s/ Victor A. Zertuche

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